

Remarks

I. Preliminary Remarks

Claim 29 has been deleted, and claim 21 has been amended. Claims 1-28, 30, and 44-61 are now pending. Reconsideration and allowance of all of the claims in view of the above amendments and the following remarks are respectfully requested.

The Examiner rejected claims 21-23 and 30 as being anticipated by Ezekiel et al., U.S. Patent No. 4,227,100. Claims 1-20 and 44-61 were allowed, and dependent claims 24-29 were also allowed subject to being written in independent form. In this regard, independent claim 21 has been amended to include the limitation of allowable dependent claim 29. Accordingly, it is respectfully submitted that the amended independent claim 21 is allowable over the cited reference along with its dependant claims 22-28 and 30.

The Examiner mentioned that with regard to claims 24-29, the claims would be allowable subject to overcoming the rejection under 35 U.S.C. 112, second paragraph. The Office Action dated September 20, 2002, however, makes no mention of rejecting claims 24-29 under 35 U.S.C. 112, second paragraph. Should this omission be in error, the Examiner is invited to contact the Applicants' undersigned representative to overcome the rejection.

II. Conclusion

Attached hereto is a marked-up version of the changes made to the claim by the current amendment. The attached page is captioned "**Version with marking to show changes made.**"

In view of the foregoing, it is respectfully submitted that the claims in the application patentably distinguish over the cited and applied references and are in condition for allowance. Reexamination and reconsideration of the application, as amended, are respectfully requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is respectfully requested to call Applicants' undersigned representative at (213) 689-5176 to discuss the steps necessary for placing the application in condition for allowance.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1853. Should such additional fees be associated with an extension of time, applicant respectfully requests that this paper be considered a petition therefore.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Please amend claim 21 as follows:

21. (Amended) An electromagnetic drive motor, comprising:
a flux return;
a top plate;
a bottom plate;
a magnet in between the top and bottom plates;
a top magnetic gap between the flux return assembly and the top plate; and
a bottom magnetic gap between the flux return assembly and the bottom plate,

wherein the flux return has a upper pole tip juxtaposed to the top magnetic gap and a lower pole tip juxtaposed to the bottom magnetic gap.

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